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EXAMINER
LE, MIRANDA

ART UNIT	PAPER NUMBER
2177	10

DATE MAILED: 07/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/817,902	DIDERIKSEN ET AL.	
	Examiner	Art Unit	
	Miranda Le	2177	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 March 2003* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Objections

Claim 20 is objected to because of the following informalities: "***a*** animation type" should be changed to "***an*** animation type". Appropriate correction is required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless:
>
> (e) the invention was described in
>
> (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or
>
> (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 21-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Van Zoest et al. (US Patent No. 6,496,802 B1).

Van Zoest anticipated independent claim 21, by the following:

As per claim 21, Van Zoest teaches "a timestamp module for assigning timestamps to audio samples that are to be rendered by a media player renderer" at col. 4, lines 57-65;

"a spectrum analyzer for processing the audio samples to provide frequency data associated with the audio samples" at col. 16, lines 9-43;

"multiple data structures each of which being associated with an audio sample, the data structures each containing timestamp data and frequency data for its associated audio sample" at col. 9, lines 24-65, col. 4, lines 57-65, col. 16, lines 9-14;

"the system being configured to use the timestamp data to ascertain a data structure associated with an audio sample that is currently being rendered by the media player renderer and provide the frequency data associated with that audio sample so that the frequency data can be used to render a visualization associated with that audio sample" at col. 18, line 55 to col. 19, line 12.

As per claim 22, Van Zoest teaches "the spectrum analyzer comprises a Fast Fourier Transform that is utilized to provide the frequency data" at col. 16, lines 9-14.

3. Claims 35-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Prasad et al. (US Patent No. 6,269,122 B1).

Prasad anticipated independent claims 35, 38, by the following:

As per claim 35, Prasad teaches "defining a frame rate at which visualization frames are to be rendered" at col. 6, lines 1-60;

"setting a threshold associated with an amount of time that is to be spent rendering a visualization frame" at col. 6, lines 1-60;

"monitoring the time associated with rendering individual visualization frames" at col. 6, lines 1-60, col. 7, lines 29-59;

"determining whether a visualization frame rendering time exceeds the threshold" at col. 6, lines 1-60, col. 7, lines 1-28;

"and providing an effective frame rate for rendering visualization frames that is longer than the defined frame rate if the determined visualization frame rendering time exceeds the threshold" at col. 6, lines 1-60, col. 7, lines 29-59.

As per claim 38, Prasad teaches "set a threshold associated with an amount of time that is to be spent rendering a visualization frame for a given frame rate" at col. 6, lines 1-60;

"monitor the time associated with rendering individual visualization frames" at col. 6, lines 1-60, col. 7, lines 1-28;

"determine whether a visualization frame rendering time exceeds the threshold" at col. 6, lines 1-60, col. 7, lines 1-28;

"provide an effective frame rate for rendering the visualization that is longer than the defined frame rate if the determined visualization frame rendering time exceeds the threshold" at col. 5, line 48 to col. 6, line 60.

As per claim 36, Prasad teaches "increasing a call interval associated with calls that are made to a visualization-rendering component" at col. 5, lines 48-67.

As per claim 37, Prasad teaches "modifying the effective frame rate so that the visualization frames are rendered at the defined frame rate" at col. 6, line 61 to col. 7, lines 59.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-6, 9-11, 13, 16, 17, 23-26, 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milne et al. (US Patent No. 5,655,144), in view of Jang et al. (US Patent No. 6,442,758 B1).

As per claim 1, Milne teaches "one or more audio sources configured to provide audio samples that are to be rendered by a media player" at col. 16, lines 13-19, col. 15, lines 48-60;

"one or more effects configured to receive the characterizing data and use the characterizing data to render a visualization that is synchronized with an audio sample that is being rendered by the media player" at col. 17, lines 15-63, Fig. 12, Fig. 36.

Milne teaches "an audio sample pre-processor communicatively linked with the one or more audio sources and configured to receive and pre-process audio samples before the samples are rendered, the pre-processing providing characterizing data associated with each sample" at col. 19, lines 1-11. However, Milne does not expressly teach a pre-processor.

Jang teaches the pre-processor 117 at col. 11, lines 1-2, Figure 6.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne with the teachings of Jang to include "an audio sample pre-processor communicatively linked with the one or more audio sources and configured to receive and pre-process audio samples before the samples are rendered, the pre-processing providing characterizing data associated with each sample" in order to split the audio signal into stereo signals.

As per claim 9, Milne teaches "one or more effects configured to receive the frequency data and use the frequency data to render a visualization that is synchronized with an audio sample that is being rendered by the media player" at col. 17, lines 15-63, Fig. 12, Fig. 36.

Milne teaches "an audio sample pre-processor configured to receive and pre-process audio samples before the samples are rendered by the media player, the pre-processing providing frequency data associated with each sample" at col. 16, lines 13-39, col. 15, lines 48-60, col. 19, lines 1-11. Milne, however, does not specifically teach a pre-processor.

Jang teaches the pre-processor 117 at col. 11, lines 1-2, Figure 6.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne with the teachings of Jang to include "an audio sample pre-processor configured to receive and pre-process audio samples before the samples are rendered by the media player, the pre-processing providing frequency data associated with each sample" in order to achieve greater bandwidth.

As per claim 13, Milne teaches "multiple data structures configured to hold the characterizing data, each to data structure being associated with an audio sample" at col. 4, lines 4-17;

"an audio rendering object configured to call the audio sample pre-processor to ascertain the characterizing data associated with an audio sample that is currently being rendered by the renderer" at col. 6, lines 21-33, col. 8, lines 32-39;

"one or more effects configured to receive characterizing data that is associated with the data structure having the timestamp that is nearest in value to said time, and use the characterizing data to render a visualization that is synchronized with the audio sample that is being rendered by the renderer" at col. 17, lines 15-63, Fig. 12, Fig. 36.

"the audio sample pre-processor being configured to ascertain said characterizing data by querying the renderer for a time associated with the 16 currently-rendered audio sample, and then using said time to identify a data structure having a timestamp that is nearest in value to said time" at col. 9, lines 43-61, col. 8, lines 40-65;

"an audio sample pre-processor configured to receive and preprocess audio samples before the samples are rendered by a renderer that comprises part of a media player, the audio sample preprocessor preprocessing the samples to provide characterizing data associated with each sample, the characterizing data comprising a timestamp associated with each audio sample, the timestamp being assigned in accordance with when the audio sample is calculated to be rendered by the renderer" at col. 16, lines 13-39, col. 15, lines 48-60, col. 16, line 40 to col. 17, line 12.

However, Milne does not specifically teach a pre-processor.

Jang teaches the pre-processor 117 at col. 11, lines 1-2, Figure 6.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne with the teachings of Jang to include "an audio sample pre-processor configured to receive and preprocess audio samples before the samples are rendered by a renderer that comprises part of a media player, the audio sample preprocessor preprocessing the samples to provide characterizing data associated with each sample, the characterizing data comprising a timestamp associated with each audio sample, the timestamp being assigned in accordance with when the audio sample is calculated to be rendered by the renderer", and "the audio sample pre-processor being configured to ascertain said characterizing data by querying the renderer for a time associated with the 16 currently-rendered audio sample, and then using said time to identify a data structure having a timestamp that is nearest in value to said time" in order to split the audio signal into stereo signals being sent to a respective audio bus within the audio bus system.

As per claim 23, Milne teaches "receiving multiple audio samples" at col. 16, lines 13-39, col. 15, lines 48-60;

"determining when an audio sample is being rendered by the media player renderer" at col. 19, lines 1-11, col. 17, lines 15-63;

"responsive to said determining, using the characterizing data that is associated with the audio sample that is being rendered to provide a visualization" at col. 17, lines 15-63.

"pre-processing the audio samples before they are rendered by a media player renderer, the pre-processing providing characterizing data for each sample" at col. 16, lines 13-39, col. 15, lines 48-60.

However, Milne does not explicitly teach a pre-processor.

Jang teaches the pre-processor 117 at col. 11, lines 1-2, Figure 6.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne with the teachings of Jang to include "pre-processing the audio samples before they are rendered by a media player renderer, the pre-processing providing characterizing data for each sample" in order to split the audio signal into stereo signals being sent to a respective audio bus within the audio bus system.

As per claim 31, Milne teaches "calling the media player renderer for a time associated with a currently rendered audio sample" at col. 19, lines 1-11;

"using the time to select a data structure containing characterizing data associated with the currently-rendered audio sample" at col. 19, lines 1-12;

"providing the characterizing data to a component for rendering a visualization" at col. 17, lines 1-12, col. 17, lines 15-63.

"calling an audio sample pre-processor for characterizing data that is associated with an audio sample that is currently being rendered by a media player renderer" at col. 16, lines 13-39, col. 15, lines 48-60.

However, Milne does not expressly teach a pre-processor.

Jang teaches the pre-processor 117 at col. 11, lines 1-2, Figure 6.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne with the teachings of Jang to include "calling an audio sample pre-processor for characterizing data that is associated with an audio sample that is currently being rendered by a media player renderer" in order to split the audio signal into stereo signals being sent to a respective audio bus within the audio bus system.

As per claim 2, Milne teaches "multiple data structures configured to hold the characterizing data, each data structure being associated with an audio sample" at col. 4, lines 4-17.

As per claim 3, Milne teaches "the audio sample pre-processor is configured to maintain the data structures" at col. 8, line 57 to col. 9, line 13.

As per claim 4, Milne teaches "the audio sample pre-processor comprises a timestamp module that provides a timestamp for each audio sample, each timestamp being maintained by a data structure associated with the audio sample" at col. 16, line 13 to col. 17, line 12.

As per claim 5, Milne teaches "the timestamp is assigned by the timestamp module based upon when the audio sample is calculated to be rendered by the media player" at col. 16, line 13 to col. 17, line 12.

As per claim 6, Milne teaches "the audio sample pre-processor is configured to: query a media player audio sample renderer for a time associated with an audio sample that is being currently rendered" at col. 15, line 48 to col. 16, line 39,

"and use the time to ascertain a timestamp of an associated audio sample, the to audio sample pre-processor further being configured to provide characterizing data of the associated audio sample so that the characterizing data can be used to render the visualization" at col. 17, lines 14-63, col. 19, lines 1-12, Fig. 36.

As per claim 10, Milne teaches "multiple data structures configured to hold the frequency data, each data structure being associated with an audio sample" at col. 4, lines 4-17.

As per claim 11, Milne teaches "query a media player audio sample renderer for a time associated with an audio sample that is being currently rendered" at col. 15, line 48 to col. 16, line 39,

"and use the time to ascertain a timestamp of an associated audio sample, the audio sample pre-processor further being configured to provide frequency data of the associated audio sample to the one or more effects so that the frequency data is can be used to render the visualization" at col. 17, lines 14-63, col. 19, lines 1-12, Fig. 36.

As per claim 16, Milne teaches "the visualization is rendered in a rendering area in which other media types can be rendered" at col. 17, lines 15-63, Figs. 12, 36.

As per claim 17, Milne teaches "the other media types comprise a video type" at col. 17, lines 15-63, Figs. 12, 36.

As per claim 24, Milne teaches "maintaining characterizing data for each audio sample in a data structure associated with each audio sample" at col. 4, lines 4-17.

As per claim 25, Milne teaches "the characterizing data comprises a timestamp associated with the audio sample, the timestamp being provided based upon when the audio sample is calculated to be rendered by the media player renderer" at col. 16, line 40 to col. 17, line 12.

As per claim 26, Milne teaches "ascertaining a time associated with a currently-rendered audio sample" at col. 19, lines 1-12;

"selecting a data structure having a timestamp that is nearest the time" at col. 19, lines 1-12;

"providing characterizing data associated with the selected data structure to a component configured to provide the visualization" at col. 17, lines 1-12, col. 17, lines 15-63.

6. Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Van Zoest et al. (US Patent No. 6,496,802 B1), in view of Jang et al. (US Patent No. 6,442,758 B1).

As per claim 34, Van Zoest teaches "query for frequency data that is associated with an audio sample that is currently being rendered by the media player renderer" at col. 16, lines 9-43;

"query for a time associated with the currently-rendered audio sample" at col. 4, lines 57-65;

"use the time to select a data structure containing frequency data associated with the currently-rendered audio sample" at col. 18, line 55 to col. 19, lines 12;

"provide the frequency data to a component for rendering a visualization" at col. 18, line 55 to col. 19, line 12.

"pre-process audio samples using a Fast Fourier Transform to provide frequency data, the audio samples being pre-processed before they are rendered by a media player renderer" at col. 9, lines 24-65, col. 4, lines 57-65, col. 16, lines 9-14.

Van Zoest, however, does not explitly teach a pre-processor.

Jang teaches the pre-processor 117 at col. 11, lines 1-2, Figure 6.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Van Zoest with the teachings of Jang to include "pre-process audio samples using a Fast Fourier Transform to provide frequency data, the audio samples being pre-processed before they are rendered by a media player renderer" in order to achieve greater bandwidth.

7. Claims 7-8, 12, 14-15, 27-28, 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milne et al. (US Patent No. 5,655,144) and Jang et al. (US Patent No. 6,442,758 B1), and further in view of Van Zoest et al. (US Patent No. 6,496,802 B1).

As per claims 7, 14, Milne and Jang do not expressly teach "characterizing data comprises frequency data". However, Van Zoest teaches this limitation at col. 16, lines 9-14.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne, Jang with the teachings of Van Zoest to include "characterizing data comprises frequency data" in order to provide a system and method for providing access to electronic works to users over a network.

As per claim 8, Milne and Jang do not explicitly teach "a Fast Fourier Transform that it utilizes to process the audio samples to provide frequency data associated with the audio samples". However, Van Zoest teaches this limitation at col. 16, lines 9-14.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne, Jang with the teachings of Van Zoest to include "a Fast Fourier Transform that it utilizes to process the audio samples to provide frequency data associated with the audio samples" in order to provide a system and method for providing access to electronic works to users over a network.

As per claim 12, Milne and Jang do not specifically teach "the audio sample pre-processor pre processes the audio samples by using a Fast Fourier Transform to provide the frequency data". However, Van Zoest teaches this limitation at col. 16, lines 9-14.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne, Jang with the teachings of Van Zoest to include "the audio sample pre-processor pre processes the audio samples by using a Fast Fourier Transform to

provide the frequency data" in order to provide a system and method for providing access to electronic works to users over a network.

As per claims 15, 28, Milne and Jang do not explicitly teach "the audio sample pre-processor comprises a Fast Fourier Transform that it utilizes to process the audio samples to provide frequency data associated with the audio samples". However, Van Zoest teaches this limitation at col. 16, lines 9-14.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne, Jang with the teachings of Van Zoest to include "the audio sample pre-processor comprises a Fast Fourier Transform that it utilizes to process the audio samples to provide frequency data associated with the audio samples" in order to provide a system and method for providing access to electronic works to users over a network.

As per claims 27, 32, Milne and Jang do not specifically teach "the characterizing data comprises frequency data associated with each sample". However, Van Zoest teaches this limitation at col. 16, lines 9-14.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne, Jang with the teachings of Van Zoest to include "the characterizing data comprises frequency data associated with each sample" in order to provide a system and method for providing access to electronic works to users over a network.

As per claim 33, Milne and Jang do not specifically teach "the characterizing data comprises frequency data associated with the audio samples and generated by pre-processing the audio samples using a Fast Fourier Transform". However, Van Zoest teaches this limitation at col. 16, lines 9-14.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne, Jang with the teachings of Van Zoest to include "the characterizing data comprises frequency data associated with the audio samples and generated by pre-processing the audio samples using a Fast Fourier Transform" in order to provide a system and method for providing access to electronic works to users over a network.

8. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Milne et al. (US Patent No. 5,655,144) and Jang et al. (US Patent No. 6,442,758 B1), and further in view of Chernock et al. (US Patent No. 6,314,569 B1).

As per claim 18, Milne and Jang do not specifically teach "the other media types comprise a skin type". However, Chernock teaches this limitation at col. 6, lines 36-44.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne, Jang with the teachings of Chernock to include "the other media types comprise a skin type" in order to provide a system which enables the display or playing of audio, video, or graphics objects in tandem with the video and audio play of a digital video presentation.

As per claim 19, Milne and Jang do not specifically teach "the other media types comprise a HTML type". However, Chernock teaches this limitation at col. 7, lines 1-8.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne, Jang with the teachings of Chernock to include "the other media types comprise a HTML type" in order to provide a system which enables the display or playing of audio, video, or graphics objects in tandem with the video and audio play of a digital video presentation.

As per claim 20, Milne and Jang do not specifically teach "the other media types comprise an animation type". However, Chernock teaches this limitation at col. 2, lines 36-48.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne, Jang with the teachings of Chernock to include "the other media types comprise a animation type" in order to provide a system which enables the display or playing of audio, video, or graphics objects in tandem with the video and audio play of a digital video presentation.

9. Claims 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Zoest et al. (US Patent No. 6,496,802 B1), Jang et al. (US Patent No. 6,442,758 B1), and further in view of Chernock et al. (US Patent No. 6,314,569 B1).

As per claim 29, Van Zoest teaches "receiving multiple audio samples" at col. 4, lines 57-65;

"maintaining frequency data and a timestamp for each sample in a data structure" at col. 16, lines 9-14, col. 18, line 55 to col. 19, line 12;

"pre-processing the audio samples before they are rendered by a media player renderer, the pre-processing comprising at least (1) using a Fast Fourier Transform to provide frequency data associated with the samples, and (2) associating a timestamp with each sample" at col. 16, lines 9-14, col. 16, lines 9-43;

However, Milne does not explicitly teach a pre-processor.

Jang teaches the pre-processor 117 at col. 11, lines 1-2, Figure 6.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Milne with the teachings of Jang to include "pre-processing the audio samples before they are rendered by a media player renderer, the pre-processing comprising at least (1) using a Fast Fourier Transform to provide frequency data associated with the samples, and (2) associating a timestamp with each sample" in order to split the audio signal into stereo signals being sent to a respective audio bus within the audio bus system.

Van Zoest, and Jang does not specifically teach the following limitations. However, Chernock teaches:

"determining when an audio sample is being rendered by a media player renderer by: ascertaining a time associated with a currently-rendered sample" at col. 5, lines 56-64, col. 4, lines 56-67;

"selecting a data structure having a timestamp that is nearest the time" at col. 2, lines 26-34;

"providing characterizing data associated with the selected data structure to a component configured to provide the visualization" at col. 2, lines 26-34.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Van Zoest, Jang with the teachings of Chernock to include "determining when an audio sample is being rendered by a media player renderer by: ascertaining a time associated with a currently-rendered sample; and selecting a data structure having a timestamp that is nearest the time; and providing characterizing data associated with the selected data structure to a component configured to provide the visualization" in order to provide a method for displaying an enhanced multimedia presentation including personalized supplementary audio, video, and graphic content selectable by a user and rendered by a receiving device.

As per claim 30, Van Zoest, Jang do not specifically teach "One or more computer-readable media having computer-readable to instructions thereon which, when executed by a computer, cause the computer to implement the method of claim 29". However, Chernock teaches this limitation at col. 2, lines 16-48.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Van Zoest, Jang with the teachings of Chernock to include "One or more computer-readable media having computer-readable to instructions thereon which, when executed by a computer, cause the computer to implement the method of claim 29" in order to provide a method for displaying an enhanced multimedia presentation including

personalized supplementary audio, video, and graphic content selectable by a user and rendered by a receiving device.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (703) 305-3203. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax number to this Art Unit is (703) 746-7238. The TC 2100's Customer Service number is (703) 306-5631.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Miranda Le
June 26, 2003

GRETA ROBINSON
PRIMARY EXAMINER